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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,222	09/14/2000	Rogelio Sosa	NETS:0004	2445
26122 7590 12/13/2007 LAW OFFICES OF GARY R. STANFORD 330 W OVERLOOK MOUNTAIN RD BUDA, TX 78610			EXAMINER COLBERT, ELLA	
			ART UNIT 3694	PAPER NUMBER
			MAIL DATE 12/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/662,222

Applicant(s)

SOSA ET AL.

Examiner

Ella Colbert

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-13, 15-29, 31, 32, 34-42 and 44-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15-29, 31, 32, 34-42, and 44-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-5, 7-13, 15-29, 31, 32, 34-42, and 44-48 are pending. Claims 1-3, 23, 26, 31, 38-42 and 44-46 have been amended in the communication filed 10/02/07 entered as Response After Non-Final Action.
2. The objections to claims 1-3, 13, 23, 24, 26, 38-40, 42, and 46 have been overcome by Applicants' amendments to claims 1-3, 13, 23, 24, 26, 38-40, 42, and 46 and the objections are hereby withdrawn.
3. The 35 USC 112, second paragraph rejections have been overcome by Applicants' amendments to claims 1, 23, 26, 31, 36, 28, 42, 44, and 45 and are hereby withdrawn.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-5, 7-13, 15-29, 31, 32, 34-42, and 44-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,577,109) Stimson et al, hereafter Stimson in view of (US 6,473,500) Risafi et al, hereafter Risafi.

As per claims 1 and 26, Stimson discloses, A method of issuing and transacting charge numbers by an issuing and transaction system using an electronic communications network (58), comprising: receiving a plurality of valid charge numbers from an issuing bank, wherein each valid charge number is acceptable to an entity that accepts valid charge numbers that are provided to a charge settlement network and routed by the charge settlement network to the issuing and transaction system for validating transactions(col. 3, line 55- col. 4, line 4); storing the plurality of valid, charge numbers in a memory device of the issuing and transaction system(col. 2, line 50- col. 3, line 6); establishing a prepaid cash account for a user in exchange for cash (col. 5, line 65 –col. 6, line 19); detecting a request by the user via the electronic communications network for one of a plurality of valid charge numbers (col. 6, lines 20-

44); associating one of the plurality of valid charge numbers with the prepaid cash account (col. 6, lines 45-65); providing, via the electronic communications network, the associated valid charge number in response to the request (col. 7, lines 26-45); detecting, via the charge settlement network, a purchase transaction using the associated valid charge number between the user and a merchant (col. 6, line 66-col. 7, line 25); and authorizing the purchase transaction if a cash balance of the prepaid cash account is sufficient for a purchase amount of the purchase transaction (col. 6, lines 20-44). Stimson did not expressly disclose the charge numbers were from an issuing bank. Risafi discloses, the charge numbers are from an issuing bank (col. 7, lines 19-55) It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the cards issued from a bank and to modify in Stimson with the teachings of Risafi because this would allow Stimson to have a pre-paid card with a unique identifier with the capability to exchange the card for currency and to transfer funds from a pre-paid card account to a merchant account if the transaction is authorized.

As per claims 2 and 27, Stimson discloses, wherein providing the selected valid charge number by the issuing and transaction system comprises providing the selected valid charge number to the user (col. 6, lines 20-44).

As per claims 3 and 28, Stimson failed to disclose, wherein providing the selected valid charge number by the issuing and transaction system comprises providing the selected valid charge number to the user via a telephonic network. Risafi discloses, wherein providing the selected valid charge number by the issuing and

transaction system comprises providing the selected valid charge number to the user via a telephonic network (col. 7, line 56-col. 8, line 4).

As per claims 4 and 29, Stimson failed to disclose, wherein the detecting a request comprises detecting an online purchase transaction between an online merchant and the user via a computer communications network. Risafi discloses, wherein the detecting a request comprises detecting an online purchase transaction between an online merchant and the user via a computer communications network (col. 10, lines 32-67). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Stimson with the teachings of Risafi because such a modification would allow Stimson to have a means of making an online purchase from an online merchant.

As per claims 5 and 32, Stimson failed to disclose, further comprising: the detecting a request comprises detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer communications network; and the providing the selected valid charge number by the issuing and transaction system comprises providing the selected valid charge number to the online merchant via the computer communications network. Risafi discloses, the detecting a request comprises detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer communications network; and the providing the selected valid charge number by the issuing and transaction system comprises providing the selected valid charge number to the online merchant via the computer communications network (col. 10, line 32-col. 11,

line 17). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Stimson with the teachings of Risafi because such a modification would allow Stimson to perform Internet shopping without having to provide sensitive account information to the merchant.

As per claims 7 and 31, Stimson discloses, further comprising: expiring, by the issuing and transaction system, the selected one of the plurality of valid charge numbers employed to consummate the purchase transaction (col. 6 lines 45-65).

As per claims 8 and 32, Stimson discloses, expiring, by the issuing and transaction system, each of the plurality of provided valid charge numbers used to consummate the plurality of purchase transactions (col. 7, lines 2-25). These dependent claims are also rejected for the similar rationale as above for claims 1 and 26.

As per claim 9, Stimson discloses, The method of claim 1, further comprising: clearing, by a merchant, the purchase transaction via a charge settlement network (col. 4, line 66- col. 5, line 6).

As per claim 10, Stimson discloses, The method of claim 9, further comprising: settling, by a merchant processor associated with the merchant, the purchase transaction through the charge settlement network (col. 6, lines 45-65).

As per claim 11, Stimson failed to disclose, The method of claim 10, further comprising: deducting, by the merchant processor, a merchant discount for the merchant. Risafi discloses, The method of claim 10, further comprising: deducting, by the merchant processor, a merchant discount for the merchant (col. 12, lines 10-19). It

would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Stimson with the teachings of Risafi because such a modification would allow Stimson to be given a discount for the consumer using the pre-paid card with the merchant's logo on the card.

As per claim 12, Stimson failed to disclose, The method of claim 9, further comprising: routing, by a switch network of the charge settlement network, the selected one of the plurality of valid charge numbers to a predetermine processor for the plurality of valid charge numbers. Risafi discloses, The method of claim 9, further comprising: routing, by a switch network of the charge settlement network, the selected one of the plurality of valid charge numbers to a predetermine processor for the plurality of valid charge numbers (col. 3, lines 53- col. 4, line 16). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Stimson with the teachings of Risafi because such a modification would allow Stimson to have a prepaid card that addresses the problems of merchant-based prepaid cards and to have a card that is more flexible than the typical card,

As per claim 13, Stimson failed to disclose, further comprising: pre-certifying, by an issuing bank, the issuing and transaction system as processor for the plurality of valid charge numbers; and the routing by the switch network comprising routing the selected one of the plurality of valid charge numbers to the issuing and transaction system. Risafi discloses, further comprising: pre-certifying, by an issuing bank, the issuing and transaction system as processor for the plurality of valid charge numbers; and the routing by the switch network comprising routing the selected one of the

plurality of valid charge numbers to the issuing and transaction system (col. 4, line 61-col. 5, line 17 and col. 6, lines 38-64). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Stimson with the teachings of Risafi because such a modification would allow Stimson to go to a issuing bank and to have a randomly generated unique temporary credit transaction number to be issued fro a single purchase transaction for a short period of time.

As per claims 15 and 34, Stimson discloses, the authorizing comprises returning, by the issuing and transaction system, authorization information via the charge settlement network (col. 2, lines 31-49).

As per claim 16, this dependent claim is rejected for the similar rationale as given above for claims 9, 10, and 12.

As per claim 17, Stimson failed to disclose, wherein the processing by the issuing and transaction system further comprises: verifying, by the issuing and transaction system, a charge number received via the charge settlement network with the selected valid charge number. Risafi discloses, wherein the processing by the issuing and transaction system further comprises: verifying, by the issuing and transaction system, a charge number received via the charge settlement network with the selected valid charge number (col. 4, line 16-47). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Stimson with the teachings of Risafi because such a modification would allow Graves to have the charge number verified and validated for the customer for a transaction.

As per claims 18, 35, and 36, Stimson failed to disclose, generating, by the issuing and transaction system, a valid expiration date corresponding to the selected valid charge number; providing, by the issuing and transaction system via the electronic communications network, the corresponding valid expiration date with the selected valid charge number; and the processing by the issuing and transaction system further comprising verifying an expiration date received via the charge settlement network with the corresponding valid expiration date. Risafi discloses, further comprising: generating, by the issuing and transaction system, a valid expiration date corresponding to the selected valid charge number (col. 4, line 61-col. 5, line 10); providing, by the issuing and transaction system via the electronic communications network, the corresponding valid expiration date with the selected valid charge number (col. 12, lines 20-51); and the processing by the issuing and transaction system further comprising verifying an expiration date received via the charge settlement network with the corresponding valid expiration date (col. 12, line 52- col. 13, line 9). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Stimson with the teachings Risafi because such a modification would allow Stimson to have a mock or faux expiration date for the credit transaction number.

As per claim 19, Stimson and Risafi failed to disclose, wherein the processing by the issuing and transaction system further comprises: comparing, by the issuing system, a purchase amount received via the charge settlement network with a corresponding cash balance. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the processing by the issuing and transaction

system further comprise: comparing, by the issuing system, a purchase amount received via the charge settlement network with a corresponding cash balance because this would allow for a system that issues a card for a specific amount and for a specific date and time for a transaction and once the transaction is settled the card is no longer valid.

As per claim 20, Stimson discloses, further comprising: authorizing and settling, by the issuing and transaction system, the purchase transaction (col. 5, lines 27-42).

As per claim 21, Stimson failed to teach, further comprising: authorizing and settling, by the issuing and transaction system, a plurality of purchase transactions, each associated with a corresponding one of the plurality of valid charge numbers; and sending, by the issuing and transaction system, a plurality of settled purchase transactions to a sponsoring bank via an automated clearing house (ACH) batch transfer. Risafi discloses, further comprising: authorizing and settling, by the issuing and transaction system, a plurality of purchase transactions, each associated with a corresponding one of the plurality of valid charge numbers; and sending, by the issuing and transaction system, a plurality of settled purchase transactions to a sponsoring bank via an automated clearing house (ACH) batch transfer (col. 10, lines 32-67). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Stimson with the teachings of Risafi because such a modification would allow Risafi to have a system that can send a transaction number or similar transaction information to a merchant for settlement of a purchase.

As per claim 22, Stimson and Risafi failed to disclose, settling, by the sponsoring bank, the plurality of purchase transactions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to settle by the sponsoring bank, the plurality of phase transactions because this would allow Stimson and Risafi's systems to have a financial repository for holding and transferring funds associated with a transaction.

As per claims 23 and 38, Stimson and Risafi failed to disclose, the detecting a request comprises detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer communications network; and establishing, by the issuing system, an electronic mail account that enables communication between the online merchant and the user via the computer communications network. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the detecting a request comprises detecting, by the issuing and transaction system, an online purchase transaction between an online merchant and the user via a computer communications network; and establishing, by the issuing system, an electronic mail account that enables communication between the online merchant and the user via the computer communications network because such a system would have the capability to send a message if the purchase transaction is approved or not approved by the merchant.

As per claims 24, 39, and 40, Stimson and Risafi failed to disclose, generating, by the issuing and transaction system, an email address linked to a prepaid cash account associated with the user; and providing, by the issuing system; the email

address to the online merchant during the purchase transaction. It would have been obvious to one having ordinary skill in the art at the time the invention was made to generate by the issuing and transaction system, an email address linked to a prepaid cash account associated with the user; and providing; by the issuing system; the email address to the online merchant during the purchase transaction because this would allow for the ability to send a message to the user as to whether the purchase has been approved or denied.

As per claims 25 and 41, These dependent claims are rejected for the similar rationale as given above for claim 18.

As per claim 37, Stimson failed to disclose, wherein the charge settlement network comprises an electronic funds transfer (EFT) network. Risafi discloses, The charge number issuing system of claim 31, wherein the charge settlement network comprises an electronic funds transfer (EFT) network (col. 13, line 18-col. 14, line 30). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the charge settlement network comprise an electronics funds transfer (EFT) network and to modify in Stimson with the teachings of Risafi because such a modification would allow Stimson to have a secure means to transfer funds and to provide real time credit.

As per claim 42, Stimson failed to disclose, A charge number issuing and processing system for issuing valid charge numbers via a electronic communications network and for processing the valid charge numbers via a charge settlement network, comprising: an issuing and transaction system, comprising: a storage device that stores

a plurality of valid charge numbers issued by an issuing bank; a communication system for coupling to and enabling communications with the electronic communications network; and a transaction system, coupled to the storage device and the communication system, that detects requests for charge numbers via the electronic communications network and that provides a selected one of the plurality of valid charge numbers via the electronic communications network in response to the request. Risafi discloses, A charge number issuing and processing system for issuing valid charge numbers via a electronic communications network and for processing the valid charge numbers via a charge settlement network, comprising: an issuing and transaction system, comprising: a storage device that stores a plurality of valid charge numbers issued by an issuing bank; a communication system for coupling to and enabling communications with the electronic communications network; and a transaction system, coupled to the storage device and the communication system, that detects requests for charge numbers via the electronic communications network and that provides a selected one of the plurality of valid charge numbers via the electronic communications network in response to the request and a processor system, coupled to the transaction system, for coupling to and enabling communications with the charge settlement network and a switch network, for coupling to the charge settlement network, that routes any of the plurality of valid charge numbers entered into the charge settlement network to the issuing and transaction system for processing (col. 11, line 1-col. 13, line 62). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Stimson with the teachings of Risafi

because such a modification would allow Stimson to have the ability to communicate with a charge settlement network and to route valid charge numbers to the charge settlement network.

As per claim 43, Stimson failed to disclose, the storage device storing an accounts database including at least one prepaid cash account; and the transaction system configured to authorize a purchase transaction submitted for authorization via the charge settlement network with selected one of the plurality of valid charge numbers if a cash balance in a prepaid cash account is sufficient to cover a purchase amount of the purchase transaction. Risafi discloses, the storage device storing an accounts database including at least one prepaid cash account; and the transaction system configured to authorize a purchase transaction submitted for authorization via the charge settlement network with selected one of the plurality of valid charge numbers if a cash balance in a prepaid cash account is sufficient to cover a purchase amount of the purchase transaction (col. 10, lines 1-31). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Stimson with the teachings of Risafi because such a modification would allow Risafi to have a database or memory for storing transaction accounts and valid charge numbers.

As per claim 44, this dependent claim is rejected for the similar rationale as given above for claim 16.

As per claim 45, this dependent claim is rejected for the similar rationale as given above for claim 38,

As per claim 46, this dependent claim is rejected for the similar rationale as given above for claim 39.

As per claim 47, this dependent claim is rejected for the similar rationale as given above for claim 35.

As per claim 48, this dependent claim is rejected for the similar rationale as given above for claim 28.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Flitcroft et al (US 2003/0028481) disclosed a credit card system and method for providing limited use credit card numbers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday, Wednesday, and Thursday, 5:30AM-3:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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December 9, 2007


ELLA COLBERT
PRIMARY EXAMINER